

The Jackson Community Groups request to intervene by right under Federal Rule of Civil Procedure 24(a)(1) and (2), and alternatively, to intervene permissively under Federal Rule of Civil Procedure 24(b)(1)(B), and to plead their claims and relief as Intervenor-Plaintiffs in their proposed Complaint-in-Intervention under the Safe Drinking Water Act, attached here as Exhibit A.

Informed by their informal as well as formal written and oral advocacy before the U.S. Environmental Protection Agency; the City of Jackson, Mississippi; and this Court in connection with the Jackson water crisis; their ongoing provision of alternative water sources and water safety supplies to the local community; and their expertise in community engagement and organizing, *see* Declaration of Danyelle Holmes, attached here as Exhibit B; Declaration of Brooke Floyd, attached here as Exhibit C, the Groups seek to represent and redress in this Safe Drinking Water Act case their and their Jackson, Mississippi constituents' health and economic interests.

The Groups' Motion is unopposed by Plaintiff the United States and Defendant the City of Jackson, Mississippi. *See* Ltr. from Karl Fingerhood, Sr. Couns., Env't. Enf't Section, Env't. & Nat. Res. Div., U.S. DOJ, to Emily Early, Lori Sherman, & Joshua Tom, Att'ys for Proposed Intervenor-Plaintiffs (Sept. 21, 2023), attached here as Exhibit D-1; E-mail from Catoria Martin, Att'y for City of Jackson, to Emily Early, Att'y for Proposed Intervenor-Plaintiffs (Sept. 19, 2023 12:16AM EST), attached here as Exhibit D-2.

For reasons detailed in their accompanying Memorandum of Law, the Groups meet the

issues. *See United States v. New-Indy Catawba, LLC*, No. 0:21-CV-02053-SAL, 2022 WL 18357257, at *1 &n.1 (D.S.C. Sept. 15, 2022) (lifting stay to consider motion to intervene); *Prime Source Bldg. Prod., Inc. v. United States*, 494 F. Supp. 3d 1307, 1313 (Ct. Int'l Trade 2021) (lifting stays in pending actions "solely for purpose of court's ruling on [intervention] motions"); *cf. Briscoe v. City Of New Haven*, No. 3:09-CV-1642(CSH), 2010 WL 166752, at *4 (D. Conn. Jan. 12, 2010) (declining to reconsider denial of renewed motion to stay where granting stay would "effectively deny[,] the motion to intervene" and thus, intervenor's opportunity to file brief expressing position on pending motion to dismiss—"presumably one of the purposes for which [intervenor] . . . sought to intervene").

requirements of Federal Rule of Civil Procedure 24(a)(1) and (2) to intervene as by right and of Federal Rule of Civil Procedure 24(b)(1)(B) to intervene permissively. Thus, the Groups' Motion for Leave to Intervene should be granted.

Respectfully submitted, this 25th day of September 2023

/s/ Joshua Tom
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**PHV applications forthcoming*

Counsel for Proposed Intervenor-Plaintiffs

*Mississippi Poor People's Campaign and People's
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